

Michael W. Graf (CA Bar # 136172)  
 227 Behrens Street  
 El Cerrito CA 94530  
 Tel: (510) 525-7222  
 Fax: (510) 525-1208  
 mwgraf@aol.com

Sharon E. Duggan (CA Bar # 105108)  
 370 Grand Avenue Suite 5  
 Oakland, CA 94610  
 Tel: 510-271-0825  
 Fax: 510-271-0829  
 FoxSDuggan@aol.com

Attorneys for Plaintiff

Peter Whitfield (HI Bar # 08749)  
 601 D St. NW  
 Washington, DC 20004  
 Tel: 202.305.0430  
 Fax: 202.305.0274  
[peter.whitfield@usdoj.gov](mailto:peter.whitfield@usdoj.gov)

Attorney for Defendants

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

LOS PADRES FORESTWATCH, a non-profit )  
 organization, )  
 Plaintiff, )  
 v. )  
 UNITED STATES FOREST SERVICE, PEGGY )  
 HERNANDEZ, in her official capacity as Forest )  
 Supervisor for the Los Padres National Forest, )  
 Defendants. )

Case No. C 10-03653

**JOINT STIPULATED REQUEST FOR  
 AN EXTENSION OF TIME TO FILE  
 DEFENDANTS' BRIEF RELATED TO  
 PLAINTIFF'S MOTION FOR A  
 PRELIMINARY INJUNCTION  
 AND ORDER**

Date: November 2, 2010  
 Time: 2 p.m.  
 Courtroom 4, 5<sup>th</sup> Floor

Honorable Lucy H. Koh (LHK)

1 Plaintiff Los Padres ForestWatch and Defendants United States Forest Service and Peggy  
2 Hernandez (together the “parties”) have been engaged in good faith discussions to try to resolve this  
3 lawsuit through a negotiated settlement. The parties are attempting to negotiate further interim  
4 measures that will allow the parties to continue their settlement discussions. The parties believe that  
5 this will enable them to reach a global settlement on all issues in this matter. The parties thus hereby  
6 jointly request that the Court grant Defendants a two-day extension on their brief to be filed in this  
7 matter.

8 SO STIPULATED

9 /s/ Michael W. Graf

10 Michael W. Graf

11 Attorneys for Plaintiff

12 /s/Peter C. Whitfield

13 Peter C. Whitfield,

14 United States Department of Justice

15 Attorneys for Defendants

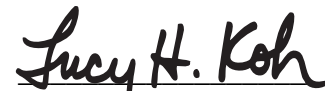
16 TRO-PI extension 10.25.wpd

1 PURSUANT TO STIPULATION, IT IS SO ORDERED:

2 The Court, having reviewed the Joint Stipulated Request for an Extension of Time to File  
3 Defendants' Brief Related to Plaintiff's Motion for a Preliminary Injunction, hereby grants an  
4 extension of time. Defendants' brief in response to Plaintiff's motion shall be due October 27, 2010

5 The preliminary injunction hearing was originally set for September 2, 2010. Per the parties'  
6 stipulation, the Court continued the September 2, 2010 hearing and briefing, and set a hearing for  
7 November 2, 2010. Defendants' responsive brief was due ten (10) days before the hearing, which  
8 makes this current request untimely -- at the latest Defendants' brief was due today. Although  
9 hesitant to delay briefing yet again, the Court will allow this last extension of time based on the  
10 parties' representations that further time will allow them to "reach a global settlement on all issues  
in this matter." Further extensions are strongly disfavored. If a settlement is reached, the Court  
expects the parties to file a joint stipulation of dismissal by Wednesday, October 27, 2010 in  
lieu of further briefing.

11 Dated: October 25, 2010



LUCY H. KOH

UNITED STATES DISTRICT JUDGE